

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

KATIVIA D. FIELDS,

Plaintiff,

v.

Case No. 15-13895
Hon. Denise Page Hood

COMMISSIONER OF SOCIAL SECURITY,

Defendant.

ORDER ACCEPTING REPORT AND RECOMMENDATION
REGARDING ATTORNEY FEES PURSUANT TO 42 U.S.C. § 406(b)(1)

This matter is before the Court on Magistrate Judge Stephanie Dawkins Davis's Report and Recommendation regarding Plaintiff's Motion for Attorney Fees Pursuant to 42 U.S.C. § 406(b)(1). **[Doc. No. 33]** Neither party filed any objections to the Report and Recommendation.

The Court has had an opportunity to review this matter and finds that the Magistrate Judge reached the correct conclusions for the proper reasons. Finding no error in the Magistrate Judge's Report and Recommendation, the Court adopts the Report and Recommendation in its entirety. Furthermore, as neither party has raised an objection to the Report and Recommendation, the Court finds that the parties have waived any further objections to the Report and Recommendation. *Smith v. Detroit Fed'n of Teachers Local 231*, 829 F.2d 1370, 1373 (6th Cir. 1987)

(a party's failure to file any objections waives his or her right to further appeal);
Thomas v. Arn, 474 U.S. 140, 149 (1985).

For the reasons stated above,

IT IS ORDERED that the Report and Recommendation [Docket No. 33, filed November 13, 2018] is **ADOPTED** as this Court's findings of fact and conclusions of law.

IT IS FURTHER ORDERED that Plaintiff's Motion for Attorney Fees Pursuant to 42 U.S.C. § 406(b)(1) [**Doc. No. 29, August 29, 2018**] is **GRANTED**.

IT IS FURTHER ORDERED that Plaintiff counsel be awarded fees in the amount of \$12,224.00 under 42 U.S.C. § 406(b), subject to Plaintiff's counsel making a refund to Plaintiff of the \$7,000.00 award Plaintiff's counsel previously received under the Equal Access to Justice Act.

s/Denise Page Hood
Denise Page Hood
Chief Judge, United States District Court

Dated: December 11, 2018

I hereby certify that a copy of the foregoing document was served upon counsel of record on December 11, 2018, by electronic and/or ordinary mail.

S/LaShawn R. Saulsberry
Case Manager